

From: Bachle, Laura
Location: EPA HQ Room WJCN 3530 EPA Contact Cheryl Whickum Ex. 6 - Personal Privacy
Importance: Normal
Subject: Confirmed: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion
Start Date/Time: Thur 7/14/2016 2:00:00 PM
End Date/Time: Thur 7/14/2016 4:00:00 PM

LOCATION: **EPA Headquarters - Office of Civil Rights**

**1200 Pennsylvania Ave, NW
William Jefferson Clinton (WJC),
North Building
Conference Room 3530**

Please use the public access at William Jefferson Clinton North, directly above Federal Triangle Metro in Wilson Plaza. Please see building information here: <https://www.epa.gov/aboutepa/visiting-epa-headquarters#building>

PLEASE ALLOW UP TO 20 Minutes to go through security. REAL ID applies to EPA Visitors. Please see link here:

<https://www.epa.gov/aboutepa/visiting-epa-headquarters#building>

When you go to the guard desk, please contact **Ms. Cheryl Whickum at 202.564.4366**

Alternate: Laura Bachle (cell) Ex. 6 - Personal Privacy

Call-in Telephone Number:

Ex. 6 - Personal Privacy

Call-in Telephone Conference Code:

Ex. 6 - Personal Privacy

Agenda to follow.

Thanks. We look forward to welcoming you!

The U.S. Department of Transportation (DOT) and the Environmental Protection Agency (EPA), would like to facilitate an initial discussion with Earthjustice, the Maryland Department of the Environment, Maryland Department of Natural Resources, and the Public Service Commission, to discuss the accepted Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3. In addition, during this meeting we would like to discuss the complaint resolution process, including informal resolution and Alternative Dispute Resolution.

From: Martinez, Brittany

Location: OCR CONFERENCE ROOM 2450-B, CONFERENCE CALL INFO:

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Importance: Normal

Subject: Brandywine Investigation Plan Discussion

Start Date/Time: Wed 6/22/2016 1:00:00 PM

End Date/Time: Wed 6/22/2016 2:30:00 PM

Brandywine Joint Complaint Investigation Plan EPA File no 28R-16-R3 29R-16-R3 30R-16-R3 DOT File no 2016-036_6.21.2016.docx

Hello all-

Please see the attached draft investigation plan for tomorrow's meeting. Thanks!Brandywine Joint Complaint Investigation Plan EPA File no 28R-16-R3 29R-16-R3 30R-16-R3 DOT File no 2016-036 6.21.2016.docx

To: Bachle, Laura[Bachle.Laura@epa.gov]
From: Fitzpatrick, Ryan (OST)
Sent: Wed 7/27/2016 6:06:47 PM
Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Right, just me and Brittany. I can do Wednesday, August 3rd, after 2pm, and any time on Thursday, August 4. After that, I'm in training off-site for a week straight, unfortunately.

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Bachle, Laura [mailto:Bachle.Laura@epa.gov]
Sent: Wednesday, July 27, 2016 1:08 PM
To: Fitzpatrick, Ryan (OST)
Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Hi Ryan- Brittany has a conflict at that time that cannot be changed. If you can give me a couple of other times, I can search her calendar to verify her availability. Just to clarify, it's just you and Brittany that need to attend, right?

-Laura

From: Fitzpatrick, Ryan (OST) [mailto:ryan.fitzpatrick@dot.gov]
Sent: Wednesday, July 27, 2016 9:54 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>;

Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Martinez, Brittany
<Martinez.Brittany@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Biffl, Betsy
<Biffl.Betsy@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Rhodes, Julia
<Rhodes.Julia@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>
Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend
Meeting

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Ex. 5 - Deliberative Process

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst
Departmental Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
W78-312
(202) 366-1979

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]

Sent: Monday, July 25, 2016 3:52 PM

To: Fitzpatrick, Ryan (OST); Small, Kevonne (CRT); Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffl, Betsy; Covington, Jeryl; Rhodes, Julia; Neal, Daria (CRT)

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

If there are any concerns re this approach, we should discuss asap. Thanks!

Lilian Sotolongo Dorka
Acting Director, EPA, Office of Civil Rights
202-564-9649

WJC-N Room 2450

From: Fitzpatrick, Ryan (OST) [<mailto:ryan.fitzpatrick@dot.gov>]

Sent: Monday, July 25, 2016 3:43 PM

To: Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

After Brittany and I meet with Mr. Shavitz, we will share our notes with the group so that we can all discuss.

Thanks again,

Ryan

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Small, Kevonne (CRT) [mailto:Kevonne.Small@usdoj.gov]

Sent: Monday, July 25, 2016 3:37 PM

To: Dorka, Lilian; Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffi, Betsy; Covington, Jeryl; Rhodes, Julia; Neal, Daria (CRT)

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Good afternoon, thank you for letting us know about this third party request.

Ex. 5 - Attorney Client / Deliberative

Ex. 5 - Attorney Client / Deliberative

Ex. 5 - Attorney Client / Deliberative

Thank you,

Kevonne Small

(202) 616-9692

From: Neal, Daria (CRT)

Sent: Friday, July 22, 2016 4:51 PM

To: Small, Kevonne (CRT)

Subject: FW: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

fyi

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]

Sent: Friday, July 22, 2016 4:34 PM

To: Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffl, Betsy; Covington, Jeryl

Cc: Neal, Daria (CRT); Rhodes, Julia

Subject: Re: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Hi all have we responded to this? Thoughts re how to respond?

Sent from my iPhone

On Jul 21, 2016, at 11:36 AM, Shavitz, Ian <IShavitz@AKINGUMP.com> wrote:

Brittany,

Good morning.

Per our conversation last week, Mattawoman Energy would like to schedule a meeting with the federal agencies regarding the Mattawoman Energy Project Title VI complaint. How can we go about scheduling such a meeting?

Thank you,

Ian

Ian A. Shavitz

AKIN GUMP STRAUSS HAUER & FELD LLP

1333 New Hampshire Avenue, N.W. | Washington, DC 20036-1564 | USA | Direct: [+1 202.887.4590](tel:+12028874590) | Internal: [24590](tel:24590)
Fax: [+1 202.887.4288](tel:+12028874288) | ishavitz@akingump.com | akingump.com | [Bio](#)

From: Martinez, Brittany [<mailto:Martinez.Brittany@epa.gov>]
Sent: Tuesday, July 12, 2016 1:53 PM
To: Shavitz, Ian
Cc: Dorka, Lilian; Bachle, Laura; Rivera, Yvette (OST); Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST)
Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Good afternoon Mr. Shavitz,

I am sending this email in response to your emails and voice messages to EPA and DOT. As you know, there is an initial meeting scheduled to take place on July 14th with the noted Maryland agencies and the Complainants. This initial meeting in our case resolution process is intended to be solely between the agencies and the parties of the complaint, that is, the recipients and the complainants. Therefore, at this time, we will have to deny your request to participate. During our meeting, we will inform both parties of your willingness to be involved during the resolution process as we move forward. If there are any future opportunities for your involvement, we will contact you directly.

We very much appreciate your willingness to share information with us and welcome any additional information that you would like to share with the DOT and EPA during this process.

Thank you and please let me know if you have any questions.

From: Shavitz, Ian [<mailto:IShavitz@AKINGUMP.com>]
Sent: Monday, July 11, 2016 6:20 PM
To: civil.rights@dot.gov; phmsa.civilrights@dot.gov; Golightly-Howell, Velveta <Golightly-Howell.Velveta@epa.gov>; Title VI Complaints <Title_VI_Complaints@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>
Cc: Martinez, Brittany <Martinez.Brittany@epa.gov>; ladawn.duncan.ctr@dot.gov
Subject: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend

Meeting

All,

I represent Mattawoman Energy in connection with the Title VI Complaint filed against the Maryland Public Service Commission (PSC), Maryland Department of the Environment (MDE) and the Maryland Department of Natural Resources (MDNR) concerning the approval of the Mattawoman Energy Project in Brandywine Maryland. Mattawoman Energy is the developer of the power plant project and the holder of the Certificate of Public Convenience and Necessity (CPCN) that is the subject of the Title VI Complaint.

As you may be aware, the Complainants have requested that EPA and USDOT/PHMSA grant the extraordinary relief of ordering the PSC to withdraw Mattawoman Energy's CPCN. Withdrawing the CPCN would have significant ramifications for Mattawoman Energy, including lost financing opportunities, significant financial penalties (*i.e.*, millions of dollars), and, potentially, loss of all of Mattawoman Energy's investment in the project to date.

I understand that there is a meeting scheduled for July 14th at EPA Headquarters with the federal agencies (EPA and USDOT/PHMSA), state agencies (PSC, MDE, and MDNR) and Complainants. Given that Complainants have expressly requested rescission of Mattawoman's CPCN and the consequences that this Title VI investigation could have on Mattawoman Energy, Mattawoman Energy respectfully requests the opportunity to attend and participate in the July 14th meeting.

Please respond at your earliest convenience regarding this request.

Thank you,

Ian

Ian A. Shavitz

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From: Fitzpatrick, Ryan (OST)
Sent: Wed 7/27/2016 1:53:36 PM
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W78-312
(202) 366-1979

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Lead Civil Rights Analyst

Departmental Office of Civil Rights

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Ian A. Shavitz

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U.S. Department of
Transportation



Title VI Complaint, File DOT No. 2016-0361;
EPA File Nos. 28R-16-R3, 29R-16-R3, and 30R-16-R3
July 14, 2016 · 10:00 a.m. – 12:00 p.m.
WJC North Conference Room 3530

Conference Number- **Ex. 6 - Personal Privacy**

Agenda

I. Introductions

- Role of the U.S. Department of Transportation (DOT), the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Justice (DOJ)

II. Case Resolution Process Overview

- Investigation
- Informal Resolution (Informal Agreement between DOT, EPA and the respective Maryland Agencies; Alternative Dispute Resolution)

III. Next Steps

IV. Questions & Answers

Notes

- _____
- _____
- _____

To: Dorka, Lilian[Dorka.Lilian@epa.gov]; Rivera, Yvette (OST)[yvette.rivera@dot.gov]
Cc: Fitzpatrick, Ryan (OST)[ryan.fitzpatrick@dot.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Rhodes, Julia[Rhodes.Julia@epa.gov]; Biffi, Betsy[Biffi.Betsy@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]; Caro-Lopez, Howard (OST)[howard.caro-lopez@dot.gov]; Neal, Daria (CRT)[Daria.Neal@usdoj.gov]; Small, Kevonne (CRT)[Kevonne.Small@usdoj.gov]; Temple, Kurt[Temple.Kurt@epa.gov]; Miller, Linda[miller.linda@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; Beers, Samantha[Beers.Samantha@epa.gov]; Rodrigues, Cecil[rodrigues.cecil@epa.gov]
From: Goodwill, Rosanne (PHMSA)
Sent: Wed 6/22/2016 11:39:21 AM
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3
[Joint Receipt Letter Akin Gump Draft 062216.doc](#)
[Joint Receipt Letter NAACP Draft 062216.doc](#)

Attached are two joint letters to send to Akin Gump and the Prince George's County NAACP advising that we have received their correspondence. If these letters look good to everyone, maybe Lilian and Yvette can sign them this morning and then Ryan can bring them to me to sign (as I can't make the meeting in person) and then I will send them out. Feel free to make changes.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy



To: Dorka, Lilian[Dorka.Lilian@epa.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]
From: Bachle, Laura
Sent: Fri 6/24/2016 5:38:49 PM
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

I'd advise that if we have it here, we get a bigger room. However, EPA has very few rooms that will comfortably accommodate a group this big. I suggest we ask DOT because they have a conference facility and are better set up to support conferences of this size. Any idea of the duration?

From: Dorka, Lilian
Sent: Friday, June 24, 2016 1:33 PM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

And Samantha Beers from Region 3 may be coming for the meeting. We could hold it here as well. We can check on 3530.

From: Martinez, Brittany
Sent: Friday, June 24, 2016 1:31 PM
To: Bachle, Laura <Bachle.Laura@epa.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

This is a rough estimate because we haven't asked them how many people they are bringing with them, but we can assume at least 2 per agency. We are 16 by ourselves (EPA, DOT, and DOJ), excluding Region 3 folks. Then Earthjustice may have 3 representatives who were named on the complaint letters. So, I will guesstimate maybe around 25 total.

From: Bachle, Laura
Sent: Friday, June 24, 2016 1:24 PM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Thanks. I guess Ryan Fitzpatrick is the POC for looking into holding the meeting there? Our working date is July 7 between 10 and 3. Do we have a sense of how long the meeting may be and the total number of attendees?

-Laura

From: Martinez, Brittany
Sent: Friday, June 24, 2016 11:34 AM
To: Bachle, Laura <Bachle.Laura@epa.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi Laura-

I contacted them this morning and left a message for Mr. Gormley and Ms. Ernst. I left them my contact information but also provided your contact information in case they do not get back before the 29th. I left a detailed message but did not discuss a proposed meeting location. We would need to ask DOT about their space availability asap.

From: Bachle, Laura
Sent: Friday, June 24, 2016 11:30 AM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi Brittany- can you give the EarthJustice contacts a quick call? (Or I can if I can find the right contact). Regarding venue for the meeting- I'd propose asking DOT to host. It's easier to get there and they have a conference center with staff support. We are strictly BYO.

-Laura

From: Martinez, Brittany

Sent: Friday, June 24, 2016 9:23 AM

To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

We have not heard back from Earthjustice.

From: Dorka, Lilian

Sent: Thursday, June 23, 2016 6:50 PM

To: Martinez, Brittany <Martinez.Brittany@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Also, FYI, it looks like all three MD agencies have confirmed attendance for July 7th. I am not sure we have heard from complainants? Checking in with Brittany and Laura so that they can update us tomorrow morning. Thanks! Lilian

From: Martinez, Brittany

Sent: Thursday, June 23, 2016 5:52 PM

To: Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues,

Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi everyone-

As discussed in yesterday's meeting, I have attached all record of contact documents for your administrative file. Thanks!

From: Martinez, Brittany

Sent: Thursday, June 23, 2016 3:51 PM

To: 'Goodwill, Rosanne (PHMSA)' <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <beers.samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi Rosanne- The email that I forwarded this morning confirms that PSC will be available to participate in the July 7th meeting.

The Secretary for PSC was captured in the original invite and it must have been subsequently delegated to their counsel. The point of contact is Joey Chen.

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]
Sent: Thursday, June 23, 2016 2:45 PM
To: Biffl, Betsy <Biffl.Betsy@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>
Subject: FW: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

I have a concern that Maryland Public Service Commission isn't listed. I believe it is crucial that they attend.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy



From: Stephanie Cobb Williams -MDE- [<mailto:stephaniecobb.williams@maryland.gov>]
Sent: Thursday, June 23, 2016 2:00 PM
To: Bachle, Laura
Cc: jennifer.wazenski@maryland.gov; steven.talson@maryland.gov; andrea.baker@maryland.gov; ngormley@earthjustice.org; cernst@earthjustice.org; chall@earthjustice.org; mark.belton@maryland.gov; ben.grumbles@maryland.gov; kevin.hughes@maryland.gov; david.collins@maryland.gov; Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Dorka, Lilian
Subject: Re: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Good afternoon Laura and Brittany,

This email is to confirm for you that both the Maryland Department of the Environment and the Maryland Department of Natural Resources are available to meet with EPA and DOT with regard to this matter on July 7, 2016 between 10:00a.m. and 3:00p.m. Please advise regarding the specific meeting time and location. Thank you.

Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
(410) 537-3040

On Tue, Jun 21, 2016 at 2:15 PM, Bachle, Laura <Bachle.Laura@epa.gov> wrote:

Greetings Colleagues:

The U.S. Department of Transportation (DOT) and the Environmental Protection Agency (EPA), would like to facilitate an initial discussion with Earthjustice, the Maryland Department of the Environment, Maryland Department of Natural Resources, and the Public Service Commission, to discuss the accepted Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3. In addition, during this meeting we would like to discuss the complaint resolution process, including informal resolution and Alternative Dispute Resolution.

We would like to meet at your earliest convenience. Possible dates for a meeting (for approximately one hour and a half) include: July 6 or 7, 2016 between 10:00 AM and 3:00 PM. Please let us know as soon as possible by responding to Laura Bachle (Bachle.Laura@EPA.gov) and Brittany Martinez (at Martinez.Brittany@EPA.gov) about your availability on either of these dates.

Thank you for your cooperation and assistance.

Yvette Rivera

Associate Director

Departmental Office of Civil Rights, DOT

Rosanne Goodwill

Director

Office of Civil Rights, PHMSA, DOT

Lilian S. Dorka

Acting Director

Office of Civil Rights, EPA

Laura Bachle, AICP

U.S. Environmental Protection Agency

Office of Civil Rights|External Compliance Program

1200 Pennsylvania Avenue, N.W.|WJC-North|Rm 2524

Mail Code: 1201A

Washington, DC 20460

Desk: (202) 566.2468

Fax: (202) 565.0196

bachle.laura@epa.gov

To: Stephanie Cobb Williams -MDE-[stephaniecobb.williams@maryland.gov]
From: Bachle, Laura
Sent: Thur 8/4/2016 5:02:58 PM
Subject: RE: Brandywine complaint 30R-16-R3

The participant code is Ex. 6 - Personal Privacy

From: Stephanie Cobb Williams -MDE- [mailto:stephaniecobb.williams@maryland.gov]
Sent: Thursday, August 04, 2016 11:03 AM
To: Bachle, Laura <Bachle.Laura@epa.gov>
Cc: Martinez, Brittany <Martinez.Brittany@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>
Subject: Re: Brandywine complaint 30R-16-R3

Will do, thanks.

Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
(410) 537-3040

On Thu, Aug 4, 2016 at 10:47 AM, Bachle, Laura <Bachle.Laura@epa.gov> wrote:

Good morning Ms. Williams- We will need to use a conference line for our talk today. Please dial this number: Ex. 6 - Personal Privacy and use this seven-digit conference extension: Ex. 6 - Personal Privacy to join the conference.

Thank you,

-Laura Bachle

From: Stephanie Cobb Williams -MDE- [mailto:stephaniecobb.williams@maryland.gov]
Sent: Wednesday, August 03, 2016 3:39 PM

To: Bachle, Laura <Bachle.Laura@epa.gov>
Subject: Re: Brandywine complaint 30R-16-R3

Sounds good, thanks.

Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
[\(410\) 537-3040](tel:(410)537-3040)

On Wed, Aug 3, 2016 at 2:56 PM, Bachle, Laura <Bachle.Laura@epa.gov> wrote:

Thanks for your understanding. It looks like Ms. Martinez and Ms. Biffi (the case manager and staff lawyer) are available at 1 pm tomorrow. If that works out we will call you at the number below.

Regards,

-Laura Bachle

From: Stephanie Cobb Williams -MDE-
[mailto:stephaniecobb.williams@maryland.gov]
Sent: Wednesday, August 03, 2016 2:06 PM
To: Bachle, Laura <Bachle.Laura@epa.gov>
Subject: Re: Brandywine complaint 30R-16-R3

Hi Laura,

I am available to talk tomorrow morning between 8:00 and 8:45a.m., or any time after 11:00a.m. Thanks.

Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
(410) 537-3040

On Wed, Aug 3, 2016 at 1:46 PM, Bachle, Laura <Bachle.Laura@epa.gov> wrote:

Dea. Ms. Williams- My apologies for not getting back to you much sooner regarding your questions. Would you have any time tomorrow morning for a conversation? My case manager, Brittany Martinez is back in town and available then. So sorry for taking so long to get back in touch.

Regards,

Laura Bachle, AICP

U.S. Environmental Protection Agency

Office of Civil Rights|External Compliance Program

1200 Pennsylvania Avenue, N.W.|WJC-North|Rm 2524

Mail Code: 1201A

Washington, DC 20460

Desk: (202) 566.2468

Fax: (202) 565.0196

bachle.laura@epa.gov

To: Rodrigues, Cecil[rodrigues.cecil@epa.gov]; Armstead, John A.[Armstead.John@epa.gov]; D'Andrea, Michael[DANDREA.MICHAEL@EPA.GOV]; Fernandez, Cristina[Fernandez.Cristina@epa.gov]; Beers, Samantha[Beers.Samantha@epa.gov]; Searfoss, Renee[searfoss.renee@epa.gov]; Lewis, Jacqueline[Lewis.Jacqueline@epa.gov]; White, Terri-A[White.Terri-A@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; Smith, William (Region 3)[smith.william@epa.gov]; Sternberg, David[Sternberg.David@epa.gov]; Mastro, Donna[Mastro.Donna@epa.gov]; Coe, Mary[Coe.Mary@epa.gov]; Zieba, Kyle[Zieba.Kyle@epa.gov]
From: schaffer, joan
Sent: Fri 5/19/2017 11:52:54 AM
Subject: CNN Inquiry -- Update
[Brandywine Quick Reference Guide.docx](#)

Cecil/John,

As you know, last Friday we rec'd a request from CNN about the Title VI Civil Rights Complaint regarding issues surrounding the Brandywine, Maryland community. Their inquiry also included a plethora of questions related to various facilities, lagoons, and surface mining operations in that area, as well as the environmental authorities governing these facilities.

After referring the CNN inquiry to HQ, we were asked by HQ to provide draft responses. We are still in the information gathering process. (CNN was unwilling to prioritize or limit their questions in order to expedite our responsiveness.) We are hoping today to provide partial responses to HQ for review.

In the meantime, CNN reached out yesterday to both inquire about the responses and also to inform us they will be traveling to Brandywine mid-week next week to talk with residents. They also asked if EPA could provide someone for an on camera interview. I've discussed this with HQ and we are going to decline this invitation.

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

The External Civil Rights Compliance Office (ECRCO) which investigates the complaint (and who works closely with Samantha and Dan) have provided the response regarding the Complaint itself. For everyone's benefit, I'm going to paste it below for your reference. This has been vetted through HQ and will be sent to CNN this morning. (They also shared with it with Dan Isales, in advance)

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

ORC and in particular, Bill and Dan, have developed a nice overview of the complaint that I'm attaching for your reference.

ORC, APD, OECEJ and others continue to provide assistance on this request and we're all plugging away to gather information and develop appropriate but factual responses.

Re the Complaint, bottom line is that the case is in ADR right now. As such, the agency is limited in what we can say.

The Director of ECRCO provided the response below to the questions posed about the Complaint.

Please let us know if you have questions.

Thanks. joan

Q: Also, we know the approval of the Mattawoman gas plant in Brandywine is the subject of a federal complaint and investigation into whether there is a violation of Title VI of the Civil Rights Act of 1964.

-Where do things stand in terms of addressing this complaint?

-What are the next steps?

-Any timeline?

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

Ex. 5 - Deliberative Process/Law Enforcement 7(a)

To: Goodwill, Rosanne (PHMSA)[rosanne.goodwill@dot.gov]; Biffl, Betsy[Biffl.Betsy@epa.gov]; Caro-Lopez, Howard (OST)[howard.caro-lopez@dot.gov]; Rodrigues, Cecil[rodrigues.cecil@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; Daria Neal[daria.neal@usdoj.gov]; Fitzpatrick, Ryan (OST)[ryan.fitzpatrick@dot.gov]; Rhodes, Julia[Rhodes.Julia@epa.gov]; Kevonne Small[kevonne.small@usdoj.gov]; Temple, Kurt[Temple.Kurt@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Dorka, Lilian[Dorka.Lilian@epa.gov]; Miller, Linda[miller.linda@epa.gov]; Rivera, Yvette (OST)[yvette.rivera@dot.gov]; Beers, Samantha[Beers.Samantha@epa.gov]
From: Martinez, Brittany
Sent: Thur 6/23/2016 7:51:25 PM
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi Rosanne- The email that I forwarded this morning confirms that PSC will be available to participate in the July 7th meeting.

The Secretary for PSC was captured in the original invite and it must have been subsequently delegated to their counsel. The point of contact is Joey Chen.

From: Goodwill, Rosanne (PHMSA) [mailto:rosanne.goodwill@dot.gov]
Sent: Thursday, June 23, 2016 2:45 PM
To: Biffl, Betsy <Biffl.Betsy@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>
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I have a concern that Maryland Public Service Commission isn't listed. I believe it is crucial that they attend.

Rosanne Goodwill
Civil Rights Director

Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy



From: Stephanie Cobb Williams -MDE- [<mailto:stephaniecobb.williams@maryland.gov>]
Sent: Thursday, June 23, 2016 2:00 PM
To: Bachle, Laura
Cc: jennifer.wazenski@maryland.gov; steven.talson@maryland.gov; andrea.baker@maryland.gov; ngormley@earthjustice.org; cernst@earthjustice.org; chall@earthjustice.org; mark.belton@maryland.gov; ben.grumbles@maryland.gov; kevin.hughes@maryland.gov; david.collins@maryland.gov; Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Dorka, Lilian
Subject: Re: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Good afternoon Laura and Brittany,

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Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
(410) 537-3040

On Tue, Jun 21, 2016 at 2:15 PM, Bachle, Laura <Bachle.Laura@epa.gov> wrote:

Greetings Colleagues:

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Maryland Department of the Environment, Maryland Department of Natural Resources, and the Public Service Commission, to discuss the accepted Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3. In addition, during this meeting we would like to discuss the complaint resolution process, including informal resolution and Alternative Dispute Resolution.

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Thank you for your cooperation and assistance.

Yvette Rivera

Associate Director

Departmental Office of Civil Rights, DOT

Rosanne Goodwill

Director

Office of Civil Rights, PHMSA, DOT

Lilian S. Dorka

Acting Director

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bachle.laura@epa.gov

To: Biffl, Betsy[Biffl.Betsy@epa.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]; Caro-Lopez, Howard (OST)[howard.caro-lopez@dot.gov]; Rodrigues, Cecil[rodrigues.cecil@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; Daria Neal[daria.neal@usdoj.gov]; Fitzpatrick, Ryan (OST)[ryan.fitzpatrick@dot.gov]; Rhodes, Julia[Rhodes.Julia@epa.gov]; Kevonne Small[kevonne.small@usdoj.gov]; Temple, Kurt[Temple.Kurt@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Dorka, Lilian[Dorka.Lilian@epa.gov]; Miller, Linda[miller.linda@epa.gov]; Rivera, Yvette (OST)[yvette.rivera@dot.gov]; Beers, Samantha[Beers.Samantha@epa.gov]
From: Goodwill, Rosanne (PHMSA)
Sent: Thur 6/23/2016 6:44:45 PM
Subject: FW: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

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Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy



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Sent: Thursday, June 23, 2016 2:00 PM
To: Bachle, Laura
Cc: jennifer.wazenski@maryland.gov; steven.talson@maryland.gov; andrea.baker@maryland.gov; ngormley@earthjustice.org; cernst@earthjustice.org; chall@earthjustice.org; mark.belton@maryland.gov; ben.grumbles@maryland.gov; kevin.hughes@maryland.gov; david.collins@maryland.gov; Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Dorka, Lilian
Subject: Re: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

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Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
(410) 537-3040

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Thank you for your cooperation and assistance.

Yvette Rivera

Associate Director

Departmental Office of Civil Rights, DOT

Rosanne Goodwill

Director

Office of Civil Rights, PHMSA, DOT

Lilian S. Dorka

Acting Director

Office of Civil Rights, EPA

Laura Bachle, AICP

U.S. Environmental Protection Agency

Office of Civil Rights|External Compliance Program

1200 Pennsylvania Avenue, N.W.|WJC-North|Rm 2524

Mail Code: 1201A

Washington, DC 20460

Desk: (202) 566.2468

Fax: (202) 565.0196

bachle.laura@epa.gov

To: Isales, Daniel[Isales.Daniel@epa.gov]; Garvin, Shawn[garvin.shawn@epa.gov]; D'Andrea, Michael[DANDREA.MICHAEL@EPA.GOV]
Cc: Beers, Samantha[Beers.Samantha@epa.gov]; Coe, Mary[Coe.Mary@epa.gov]; Gardner, Allison[Gardner.Allison@epa.gov]; Miller, Linda[miller.linda@epa.gov]
From: Rodrigues, Cecil
Sent: Tue 6/14/2016 8:57:31 PM
Subject: RE: URGENT: BRANDYWINE LETTERS WILL BE ISSUED TODAY AT 5:00
Joint Acceptance Letter FINAL DRAFT Recipients 6-10-2016.doc

Copy of letter attached (identical ones will be send to MDCR AND MDE.) ORC, OECEJ, OCGR and I reviewed the letter.

Cecil.

From: Isales, Daniel
Sent: Tuesday, June 14, 2016 4:53 PM
To: Garvin, Shawn <garvin.shawn@epa.gov>; D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>
Cc: Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Beers, Samantha <Beers.Samantha@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>; Gardner, Allison <Gardner.Allison@epa.gov>; Miller, Linda <miller.linda@epa.gov>
Subject: RE: URGENT: BRANDYWINE LETTERS WILL BE ISSUED TODAY AT 5:00

Shawn,

Ex. 5 - Deliberative Process

It states that there will be a joint DOT/EPA investigation of the MD PSC, MDE and MDNR. It identifies the scope of the complaint:

1. Whether the process and decision to issue a Certificate of Public Convenience and Necessity (CPCN) to Mattawoman Energy, LLC for the construction of a natural gas-fired power plant in Brandywine, Maryland discriminated on the basis of race, color, or national origin, in violation of Title VI; and
2. Whether the public engagement process prior to the decision to issue a CPCN discriminated on the basis of race, color, or national origin, in violation of Title VI.

It also indicates to the parties the possibilities for ADR. A number of us reviewed the draft letter and we did not have comments on it. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

From: Garvin, Shawn

Sent: Tuesday, June 14, 2016 4:50 PM

To: D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>

Cc: Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Beers, Samantha <Beers.Samantha@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>; Gardner, Allison <Gardner.Allison@epa.gov>; Miller, Linda <miller.linda@epa.gov>

Subject: Re: URGENT: BRANDYWINE LETTERS WILL BE ISSUED TODAY AT 5:00

Did anyone tell them the letter is coming? Who in the Region has seen the letter? What does it say? Thx

Sent from my iPhone

On Jun 14, 2016, at 4:45 PM, D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV> wrote:

Shawn

Letter is coming from DOT and EPA and going to DCNR, MDE and Maryland Public Service Commission.

To my understanding, we could not have said much about the letter except that it was coming, so no information has been shared.

Mike

From: Garvin, Shawn
Sent: Tuesday, June 14, 2016 4:36 PM
To: Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Cc: Beers, Samantha <Beers.Samantha@epa.gov>; D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>; Isales, Daniel <Isales.Daniel@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>; Gardner, Allison <Gardner.Allison@epa.gov>; Miller, Linda <miller.linda@epa.gov>
Subject: Re: URGENT: BRANDYWINE LETTERS WILL BE ISSUED TODAY AT 5:00

Cecil - Have you seen the letter? Who is the referenced letter being sent to? Have any of our folks talked to MD about this situation? I have not talked to Ben.

Thanks - Shawn

Sent from my iPhone

On Jun 14, 2016, at 3:51 PM, Rodrigues, Cecil <rodrigues.cecil@epa.gov> wrote:

FYI.

From: Dorka, Lilian
Sent: Tuesday, June 14, 2016 3:35 PM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Jacobs, David F. (OPA) <David.F.Jacobs@usdoj.gov>; artealia.gilliard@dot.gov; Grantham, Nancy <Grantham.Nancy@epa.gov>; Abrams, Dan <Abrams.Dan@epa.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Subject: RE: URGENT: BRANDYWINE LETTERS WILL BE ISSUED TODAY AT 5:00
Importance: High

Hi Folks – just wanted to include everyone on the same email to confirm that the letters are signed and ready to go. I will be sending out from here via regular mail as well as email and they will be going out by 5:00 today. Shortly, Dan Abrams will be sharing with all of you a final Desk Statement that EPA intends to use for press inquiries. Please let us know if you have any questions. Thanks! Lilian

From: Fitzpatrick, Ryan (OST) [<mailto:ryan.fitzpatrick@dot.gov>]
Sent: Tuesday, June 14, 2016 11:13 AM
To: Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

I'll join the meeting and bring the documents signed from our side with me. Rosanne, I'll swing by your office

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Goodwill, Rosanne (PHMSA)
Sent: Tuesday, June 14, 2016 11:10 AM
To: Dorka, Lilian; Fitzpatrick, Ryan (OST); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)

Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

A phone number to call in would be good. Thanks.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy

Sent with Good (www.good.com)

From: Dorka, Lilian <Dorka.Lilian@epa.gov>
Sent: Tuesday, June 14, 2016 11:05:15 AM
To: Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

Our OPA Office is setting up a quick touch base meeting re the release of the letters, and it is currently scheduled for 2:30. Do you want to come over and join in that meeting? I can also provide a call in number. I will give them the contact for Rosanne's program and for DOJ. Do you guys have a different contact? For DOCR?

That 2:30 slot is about I have open right now early afternoon to sign the letters?

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]
Sent: Tuesday, June 14, 2016 8:52 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT <Kevonne.Small@usdoj.gov>
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

Sounds good.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy

<image001.png>

From: Fitzpatrick, Ryan (OST)
Sent: Tuesday, June 14, 2016 8:50 AM
To: Dorka, Lilian; Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

If we do it early enough in the afternoon, I can come over to you. I'll get the signatures on our side and bring them with me to you. It's an easy shot up the green line to archives metro. You can meet me outside the EPA building.

I'll put together versions that with each of the recipients addresses, though the letters will stay otherwise the same.

Ryan

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]
Sent: Monday, June 13, 2016 6:57 PM
To: Fitzpatrick, Ryan (OST); Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

We can figure out how to get them over to you physically (maybe we meet half way on the Metro ☺)?

Also see my last email for some left over questions to address. Thanks Ryan!

From: Fitzpatrick, Ryan (OST) [<mailto:ryan.fitzpatrick@dot.gov>]
Sent: Monday, June 13, 2016 4:15 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT <Kevonne.Small@usdoj.gov>
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

We will be ready to go tomorrow. Once you can sign on your side, we can sign on our side and get these out. Does EPA want to physically and/or electronically send them?

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]
Sent: Monday, June 13, 2016 1:05 PM
To: Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

Thanks Ryan – I need to send the disk statement and heads up note to my seniors leaders that we will be issuing this tomorrow. Will you guys be ready to go tomorrow?

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]
Sent: Monday, June 13, 2016 9:27 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

They look good to me also.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy

<image001.png>

From: Fitzpatrick, Ryan (OST)
Sent: Monday, June 13, 2016 9:00 AM
To: Dorka, Lilian; Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)
Subject: RE: URGENT: WHEN CAN WE ISSUE LETTERS?

Lilian:

The drafts you sent over Friday morning look good to me. Let's get them signed by Yvette, Lilian, and Rosanne and then get them out?

Ryan

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]
Sent: Friday, June 10, 2016 6:24 PM
To: Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT)
Subject: URGENT: WHEN CAN WE ISSUE LETTERS?
Importance: High

Hello Everyone – No comment on the letter from our DCRO in Region 3. Therefore, if you are

good with the last version of the letters, I will share with our other stakeholders here and our public affairs office to give them a heads up that WE PLAN TO ISSUE THE LETTERS BY TUESDAY. Is DOT ok with that?? I will also share with them the Desk Statement. Thanks!
Lily

From: Dorka, Lilian
Sent: Friday, June 10, 2016 9:30 AM
To: 'Goodwill, Rosanne (PHMSA)' <rosanne.goodwill@dot.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT <Kevonne.Small@usdoj.gov>
Subject: RE: News Article on the Complaint
Importance: High

Hello Everyone – attached are the draft letters I will be sharing with our Region 3 Deputy Civil Rights Official today for his review. Assuming he can take a look today, I will share any comments with you (and you can let me know if any of your principals have comments) and hopefully we can have final letters by COB Monday that I will share with our Public Affairs office along with the attached Desk Statement, and other senior stakeholders here, letting them know we will issue the letters on ____.(?)

ALSO, Ryan, Yvette and Rosanne, please let me know who the OPA contact is for you so that I can include that in our desk statement.

Daria, I did not hear from you in response to the question re whether DOJ wanted to be referenced in the letter. I took that comment out on the attached. If you decide we should add a sentence, please let us know and we can do that.

Thanks everyone and please let me know if you have any questions/concerns. Will let you know ASAP re any comments we receive. Lily

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]
Sent: Friday, June 10, 2016 9:04 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>
Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Daria.Neal@usdoj.gov; Small, Kevonne (CRT <Kevonne.Small@usdoj.gov>
Subject: RE: News Article on the Complaint

Great. I think we should all be saying the same. Have a great day.

Rosanne Goodwill

PHMSA

Office of Civil Rights

202-366-6580

Ex. 6 - Personal Privacy

<image002.png>

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]
Sent: Friday, June 10, 2016 8:26 AM
To: Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST)
Cc: Rivera, Yvette (OST); Bachle, Laura; Martinez, Brittany; Covington, Jeryl; Biffl, Betsy; Temple, Kurt; Daria.Neal@usdoj.gov; Small, Kevonne (CRT
Subject: RE: News Article on the Complaint

Thanks for the heads up Rosanne! The press is always so kind to EPA OCR. ☺ I will have a draft desk statement soon that I will share with our public affairs office and with you. You can use it if it works for you guys.

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]
Sent: Friday, June 10, 2016 7:04 AM
To: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>

Cc: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Biffi, Betsy <Biffi.Betsy@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>
Subject: News Article on the Complaint

FYI – news article about the complaint. I believe we also need to work on press information. I know my Public Affairs office has asked for talking points. Do any of you have talking points you normally use for these types of issues?

<http://www.counterpunch.org/2016/06/10/bridging-the-trust-gap-in-energy-justice-battles/>

Rosanne Goodwill

PHMSA

Office of Civil Rights

202-366-6580

Ex. 6 - Personal Privacy

<image002.png>

oc>

To: Beers, Samantha[Beers.Samantha@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; Miller, Linda[miller.linda@epa.gov]; Mastro, Donna[Mastro.Donna@epa.gov]
From: Rodrigues, Cecil
Sent: Wed 6/22/2016 12:58:10 PM
Subject: Fwd: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3
[Attachment](#)
[ATT00001.htm](#)
[Attachment](#)
[ATT00002.htm](#)

Sent from my iPhone
Cecil Rodrigues

Begin forwarded message:

From: "Covington, Jeryl" <Covington.Jeryl@epa.gov>
Date: June 22, 2016 at 8:54:51 AM EDT
To: "Dorka, Lilian" <Dorka.Lilian@epa.gov>, "Rodrigues, Cecil" <rodrigues.cecil@epa.gov>
Cc: "Martinez, Brittany" <Martinez.Brittany@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Attached are copies of the communications and DOT response to Akin Gump Strauss Hauer & Feld LLP.

From: Dorka, Lilian
Sent: Wednesday, June 22, 2016 8:51 AM
To: Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Cc: Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3
Importance: High

Brittany and Jeryl I think DOT sent us vopies of the letters right? Couldyou please send copies to Cecil in Region 3? Thanks!

From: Rodrigues, Cecil
Sent: Wednesday, June 22, 2016 7:48 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: Fwd: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

If not already done please get the regional team the incoming letters.

Sent from my iPhone

Cecil Rodrigues

Begin forwarded message:

From: "Goodwill, Rosanne (PHMSA)" <rosanne.goodwill@dot.gov>
Date: June 22, 2016 at 7:39:21 AM EDT
To: "Dorka, Lilian" <Dorka.Lilian@epa.gov>, "Rivera, Yvette (OST)" <yvette.rivera@dot.gov>
Cc: "Fitzpatrick, Ryan (OST)" <ryan.fitzpatrick@dot.gov>, "Martinez, Brittany" <Martinez.Brittany@epa.gov>, "Bachle, Laura" <Bachle.Laura@epa.gov>, "Rhodes, Julia" <Rhodes.Julia@epa.gov>, "Biffl, Betsy" <Biffl.Betsy@epa.gov>, "Covington, Jeryl" <Covington.Jeryl@epa.gov>, "Caro-Lopez, Howard (OST)" <howard.car-lopez@dot.gov>, "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov>, "Small, Kevonne (CRT)" <Kevonne.Small@usdoj.gov>, "Temple, Kurt" <Temple.Kurt@epa.gov>, "Miller, Linda" <miller.linda@epa.gov>, "Isales, Daniel" <Isales.Daniel@epa.gov>, "Beers, Samantha" <Beers.Samantha@epa.gov>, "Rodrigues, Cecil" <rodrigues.cecil@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Attached are two joint letters to send to Akin Gump and the Prince George's County NAACP advising that we have received their correspondence. If these letters look good to everyone, maybe Lilian and Yvette can sign them this morning and then Ryan can bring them to me to sign (as I can't make the meeting in person) and then I will send them out. Feel free to make changes.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580

Ex. 6 - Personal Privacy

To: Beers, Samantha[Beers.Samantha@epa.gov]
From: Beers, Samantha
Sent: Fri 6/24/2016 7:02:31 PM
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Ex. 5 - Deliberative Process; 7(a) Law Enforcement

Ex. 5 - Deliberative Process; 7(a) Law Enforcement

From: Rodrigues, Cecil
Sent: Wednesday, June 22, 2016 8:58 AM
To: Beers, Samantha <Beers.Samantha@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Mastro, Donna <Mastro.Donna@epa.gov>
Subject: Fwd: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Sent from my iPhone

Cecil Rodrigues

Begin forwarded message:

From: "Covington, Jeryl" <Covington.Jeryl@epa.gov>
Date: June 22, 2016 at 8:54:51 AM EDT
To: "Dorka, Lilian" <Dorka.Lilian@epa.gov>, "Rodrigues, Cecil" <rodrigues.cecil@epa.gov>
Cc: "Martinez, Brittany" <Martinez.Brittany@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

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From: Dorka, Lilian
Sent: Wednesday, June 22, 2016 8:51 AM
To: Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Cc: Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3
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Brittany and Jeryl I think DOT sent us vopies of the letters right? Couldyou please send copies to Cecil in Region 3? Thanks!

From: Rodrigues, Cecil
Sent: Wednesday, June 22, 2016 7:48 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Subject: Fwd: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

If not already done please get the regional team the incoming letters.

Sent from my iPhone

Cecil Rodrigues

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From: "Goodwill, Rosanne (PHMSA)" <rosanne.goodwill@dot.gov>
Date: June 22, 2016 at 7:39:21 AM EDT
To: "Dorka, Lilian" <Dorka.Lilian@epa.gov>, "Rivera, Yvette (OST)" <yvette.rivera@dot.gov>
Cc: "Fitzpatrick, Ryan (OST)" <ryan.fitzpatrick@dot.gov>, "Martinez, Brittany" <Martinez.Brittany@epa.gov>, "Bachle, Laura" <Bachle.Laura@epa.gov>, "Rhodes, Julia" <Rhodes.Julia@epa.gov>, "Biffl, Betsy" <Biffl.Betsy@epa.gov>, "Covington, Jeryl" <Covington.Jeryl@epa.gov>, "Caro-Lopez, Howard (OST)" <howard.carolopez@dot.gov>, "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov>, "Small, Kevonne (CRT)" <Kevonne.Small@usdoj.gov>, "Temple, Kurt" <Temple.Kurt@epa.gov>, "Miller, Linda" <miller.linda@epa.gov>, "Isales, Daniel" <Isales.Daniel@epa.gov>, "Beers, Samantha" <Beers.Samantha@epa.gov>, "Rodrigues, Cecil" <rodrigues.cecil@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Attached are two joint letters to send to Akin Gump and the Prince George's County NAACP advising that we have received their correspondence. If these letters look good to everyone, maybe Lilian and Yvette can sign them this morning and then Ryan can bring them to me to sign (as I can't make the meeting in person) and then I will send them out. Feel free to make changes.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580
Cell: 202-365-5560

To: Martinez, Brittany[Martinez.Brittany@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]; Rhodes, Julia[Rhodes.Julia@epa.gov]; Biffl, Betsy[Biffl.Betsy@epa.gov]; Temple, Kurt[Temple.Kurt@epa.gov]
From: Dorka, Lilian
Sent: Tue 6/21/2016 4:00:33 PM
Subject: RE: Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R-16-R3 30R-16-R3_DOT File no 2016-0361 bb.docx
Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R....docx

Hi Brittany – does this draft reflect Betsy’s input?

Ex. 5 - Deliberative Process; 7(a) Law Enforcement

Ex. 5 - Deliberative Process; 7(a) Law Enforcement

Thoughts? (Kurt, could you take a look as well please?)

From: Martinez, Brittany
Sent: Monday, June 20, 2016 2:56 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>
Cc: Biffl, Betsy <Biffl.Betsy@epa.gov>
Subject: Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R-16-R3 30R-16-R3_DOT File no 2016-0361 bb.docx

Hi all-

Please take a look at the updated version of the IP which includes OGC’s edits. Please let me know if you have any questions. I think we should share this with DOT and DOJ no later than noon tomorrow in preparation for the Wednesday meeting.

Thanks!

To: Fitzpatrick, Ryan (OST)[ryan.fitzpatrick@dot.gov]; Dorka, Lilian[Dorka.Lilian@epa.gov]; Small, Kevonne (CRT)[Kevonne.Small@usdoj.gov]; Goodwill, Rosanne (PHMSA)[rosanne.goodwill@dot.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Biffi, Betsy[Biffi.Betsy@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]; Rhodes, Julia[Rhodes.Julia@epa.gov]; Neal, Daria (CRT)[Daria.Neal@usdoj.gov]
From: Rivera, Yvette (OST)
Sent: Wed 7/27/2016 2:13:14 PM
Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

The Shavitz emails do not identify the persons who will be attending this meeting. Please ask him directly to tell us.

From: Fitzpatrick, Ryan (OST)
Sent: Wednesday, July 27, 2016 9:54 AM
To: Dorka, Lilian; Small, Kevonne (CRT); Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffi, Betsy; Covington, Jeryl; Rhodes, Julia; Neal, Daria (CRT)
Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

How about this for a meeting invite to Mr. Shavitz. I haven't proposed a location yet, should we offer the EPA conference room? I can come to you. Or should we go to them, as we are interviewing (and listening to) them? I also proposed a time that is good for me, as Brittany is out of office for the rest of the week and I'll be in training next Monday and Tuesday. We can play with the times and dates if need be.

Ex. 5 - Deliberative Process

DOT and EPA are available for the interview on Thursday, August 4, from 2:00pm – 4:00pm.

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]

Sent: Monday, July 25, 2016 3:52 PM

To: Fitzpatrick, Ryan (OST); Small, Kevonne (CRT); Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffl, Betsy; Covington, Jeryl; Rhodes, Julia; Neal, Daria (CRT)

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Ex. 5 - Deliberative Process

If there are any concerns re this approach, we should discuss asap. Thanks!

Lilian Sotolongo Dorka

Acting Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

From: Fitzpatrick, Ryan (OST) [<mailto:ryan.fitzpatrick@dot.gov>]

Sent: Monday, July 25, 2016 3:43 PM

To: Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Thanks for your advice on this, Kevonne. A listening session is precisely what we had in mind, along with a short description of Title VI (including its retaliation elements) and the complaint process.

After Brittany and I meet with Mr. Shavitz, we will share our notes with the group so that we can all discuss.

Thanks again,

Ryan

Ryan N. Fitzpatrick, Esq.

Lead Civil Rights Analyst

Departmental Office of Civil Rights

Office of the Secretary

U.S. Department of Transportation

W78-312

(202) 366-1979

From: Small, Kevonne (CRT) [<mailto:Kevonne.Small@usdoj.gov>]

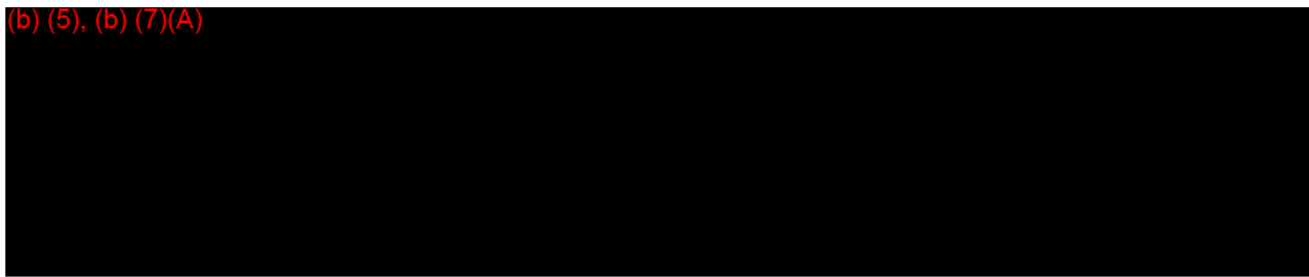
Sent: Monday, July 25, 2016 3:37 PM

To: Dorka, Lilian; Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffl, Betsy; Covington, Jeryl; Rhodes, Julia; Neal, Daria (CRT)

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Good afternoon, thank you for letting us know about this third party request. The Federal Coordination and Compliance Section has decided not to participate at this meeting.

(b) (5), (b) (7)(A)



Thank you,

Kevonne Small

(202) 616-9692

From: Neal, Daria (CRT)
Sent: Friday, July 22, 2016 4:51 PM
To: Small, Kevonne (CRT)
Subject: FW: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

fyi

From: Dorka, Lilian [<mailto:Dorka.Lilian@epa.gov>]
Sent: Friday, July 22, 2016 4:34 PM
To: Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST); Rivera, Yvette (OST); Martinez, Brittany; Bachle, Laura; Biffi, Betsy; Covington, Jeryl
Cc: Neal, Daria (CRT); Rhodes, Julia
Subject: Re: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Hi all have we responded to this? Thoughts re how to respond?

Sent from my iPhone

On Jul 21, 2016, at 11:36 AM, Shavitz, Ian <IShavitz@AKINGUMP.com> wrote:

Brittany,

Good morning.

Per our conversation last week, Mattawoman Energy would like to schedule a meeting with the federal agencies regarding the Mattawoman Energy Project Title VI complaint. How can we go about scheduling such a meeting?

Thank you,

Ian

Ian A. Shavitz

AKIN GUMP STRAUSS HAUER & FELD LLP

1333 New Hampshire Avenue, N.W. | Washington, DC 20036-1564 | USA | Direct: [+1 202.887.4590](tel:+1202.887.4590) | Internal: [24590](tel:24590)
Fax: [+1 202.887.4288](tel:+1202.887.4288) | ishavitz@akingump.com | akingump.com | [Bio](#)

From: Martinez, Brittany [<mailto:Brittany.Martinez@epa.gov>]

Sent: Tuesday, July 12, 2016 1:53 PM

To: Shavitz, Ian

Cc: Dorka, Lilian; Bachle, Laura; Rivera, Yvette (OST); Goodwill, Rosanne (PHMSA); Fitzpatrick, Ryan (OST)

Subject: RE: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Good afternoon Mr. Shavitz,

I am sending this email in response to your emails and voice messages to EPA and DOT. As you know, there is an initial meeting scheduled to take place on July 14th with the noted Maryland agencies and the Complainants. This initial meeting in our case resolution process is intended to be solely between the agencies and the parties of the complaint, that is, the recipients and the complainants. Therefore, at this time, we will have to deny your request to participate. During our meeting, we will inform both parties of your willingness to be involved during the resolution process as we move forward. If there are any future opportunities for your involvement, we will contact you directly.

We very much appreciate your willingness to share information with us and welcome any additional information that you would like to share with the DOT and EPA during this process.

Thank you and please let me know if you have any questions.

From: Shavitz, Ian [<mailto:IShavitz@AKINGUMP.com>]

Sent: Monday, July 11, 2016 6:20 PM

To: civil.rights@dot.gov; phmsa.civilrights@dot.gov; Golightly-Howell, Velveta <Golightly-Howell.Velveta@epa.gov>; Title VI Complaints <Title_VI_Complaints@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>

Cc: Martinez, Brittany <Martinez.Brittany@epa.gov>; ladawn.duncan.ctr@dot.gov

Subject: Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

All,

I represent Mattawoman Energy in connection with the Title VI Complaint filed against the Maryland Public Service Commission (PSC), Maryland Department of the Environment (MDE) and the Maryland Department of Natural Resources (MDNR) concerning the approval of the Mattawoman Energy Project in Brandywine Maryland. Mattawoman Energy is the developer of the power plant project and the holder of the Certificate of Public Convenience and Necessity (CPCN) that is the subject of the Title VI Complaint.

As you may be aware, the Complainants have requested that EPA and USDOT/PHMSA grant the extraordinary relief of ordering the PSC to withdraw Mattawoman Energy's CPCN. Withdrawing the CPCN would have significant ramifications for Mattawoman Energy, including lost financing opportunities, significant financial penalties (*i.e.*, millions of dollars), and, potentially, loss of all of Mattawoman Energy's investment in the project to date.

I understand that there is a meeting scheduled for July 14th at EPA Headquarters with the federal agencies (EPA and USDOT/PHMSA), state agencies (PSC, MDE, and MDNR) and Complainants. Given that Complainants have expressly requested rescission of Mattawoman's CPCN and the consequences that this Title VI investigation could have on Mattawoman Energy, Mattawoman Energy respectfully requests the opportunity to attend

and participate in the July 14th meeting.

Please respond at your earliest convenience regarding this request.

Thank you,

Ian

Ian A. Shavitz

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1333 New Hampshire Avenue, N.W. | Washington, DC 20036-1564 | USA | Direct: [+1 202.887.4590](tel:+12028874590) | Internal: [24590](tel:24590)
Fax: [+1 202.887.4288](tel:+12028874288) | ishavitz@akingump.com | akingump.com | [Bio](#)

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